

# MEMO ENDORSED

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January 14, 2008

Via Telecopier 212-805-7949

Honorable P. Kevin Castel  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: **FESTER & CO, GmbH, et al. v. LAN AIRLINES, S.A.**  
07 Civ. 10518 (PKC)  
Our File: 260-52

Dear Honorable Judge:

We represent the plaintiff in the referenced matter, and, with the consent of defense counsel, write to request that the pre-trial conference scheduled for Wednesday, January 16, 2008 at 9:45 am. be adjourned to a new date. With the conference having been re-scheduled by the Court last week from January 18, 2006 neither counsel was available on the new date set by the Court.

We write to also inform the Court that the attorneys for the parties have agreed to recommend settlement of the matter to their respective clients and thus anticipate that the claim will be settled before the end of January. In this regard, we request that, in the event the Court agrees to adjourn the conference, that a new date be set for mid-February in order to permit the parties an opportunity to finalize the matter.

Respectfully submitted,

CASEY & BARNETT, LLC

*Martin F. Casey*  
Martin F. Casey

cc: Roberta Miranda, Esq.

via email: [Roberta.miranda@mendes.com](mailto:Roberta.miranda@mendes.com)

*Conference adjourned  
from Jan 16 to  
March 7, 2008 at 10:15am.  
SO ORDERED  
[Signature]  
USDS  
1-14-08*